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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,824	06/25/2003	Susan P. Gill	033624-003	9863

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EXAMINER

COUGHLAN, PETER D

ART UNIT

PAPER NUMBER

2129

DATE MAILED: 01/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/602,824

Applicant(s)

GILL, SUSAN P.

Examiner

Peter Coughlan

Art Unit

2129

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 June 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Detailed Action

1. Claims 1-7 are pending in this application.

35 USC § 101

2. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-7 are rejected under 35 U.S.C. 101 for nonstatutory subject matter.

The subject claims do not cite a practical application use of the abstract concept.

(Rubber-Tip Pencil Co. v Howard, 87 U.S. (20 Wall.) 498, 507 (1874); Mackay Radio & Telegraph Co. v Radio Corp. of America, 306 U.S. 86, 94, 40 USPQ 199, 202 (1939); Warmerdam, 33 F.3d at 1360, 31 USPQ2d at 1759)

Claims 1-7 are rejected under 35 U.S.C. 101 for nonstatutory subject matter. The subject claims represents descriptive material per se. Warmerdam, 33F.3d at 1360, 31 USPQ2d at 1759.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reid et al in view of Nagafuchi, and further in view of Yamamoto, and further in view of Olster' and further in view of Savitch (U. S. Patent 6298308, referred to as **Reid**; U. S. Patent Publication 20010056315, referred to as **Nagafuchi**; U. S. Patent 5831854, referred to as **Yamamoto**; U. S. Patent 6285320, referred to as **Olster**;

'Problems Solving with C++', referred to as **Savitch**).

Claim 1.

Reid teaches at least one display for a number of structured stages, the displays including user question prompts to receive user input (**Reid**, C8:34-36), the structured stages including a trigger stage which is used to analyze problems (**Reid**, C8:41-43; Examiner's Note (EN) 'Trigger stage' is equivalent to 'input information' of Reid.), a reaction stage in which collects reactions to the triggers determined in the trigger stage (**Reid**, C8:54 through C9:24; EN 'Reaction stage' is equivalent to analyzing the incoming data to produce an output.).

Reid does not teach an action stage in which the user determines an action. Nagafuchi teaches an action stage in which the user determines an action (**Nagafuchi**, ¶[0056]; EN 'Action stage' of applicant is equivalent to 'output information' of Nagafuchi.). It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify teachings of Reid by having an output of repair information as needed and taught by Nagafuchi to an action stage in which the user determines an action.

For the purpose of having access to a result from input information that was supplied.

Reid and Nagafuchi do not teach a conflict stage in which feedback on the action is done. Yamamoto teaches a conflict stage in which feedback on the action is done

(**Yamamoto**, C10:29-37). It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify combined teachings Reid and Nagafuchi by entering into the system what repairs were completed as taught by Yamamoto to have a conflict stage in which feedback on the action is done.

For the purpose of the system to have current information on what repairs were completed for future use.

Reid, Nagafuchi and Yamamoto do not teach an evaluation stage in which a final assessment of the action is done. Olster teaches an evaluation stage in which a final assessment of the action is done (**Olster**, C9:24-29). It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify combined teachings of Reid, Nagafuchi and Yamamoto by having an input of how the repair solved the problem for future use as taught by Olster to have an evaluation stage in which a final assessment of the action is done.

For the purpose of modifying the database for an improved solutions in future use.

Reid, Nagafuchi, Yamamoto and Olster do not teach the project development software being such that the user can move between the five stages to facilitate work on a project. Savitch teaches an evaluation stage in which a final assessment of the action is done, the project development software being such that the user can move between the five stages to facilitate work on a project (**Savitch**, pages 390-391; EN Movement between the five stages of the development software can be accomplished with a 'switch' statement. In this example Savitch displays only four cases but a fifth can

easily be added (case 5:)). It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify combined teachings of Reid, Nagafuchi, Yamamoto and Olster by using a 'switch' statement to have easy access between the five stages of development as taught by Savitch to an evaluation stage in which a final assessment of the action is done, the project development software being such that the user can move between the five stages to facilitate work on a project.

For the purpose of ease of use and modification potential for future needs.

Claims 2 and 4.

Reid teaches wherein the project development software includes an active mode in which the user inputs information concerning a project using the structured stages related to a project (**Reid**, abstract) and a passive mode in which the user can search to find, for a given structured stage, input by previous users for similar projects (**Reid**, C10:58-62).

Claims 3 and 5.

Reid teaches wherein the user can toggle between the active and passive modes (**Reid**, abstract and C10:58-62; EN Reid illustrates that a local user can access files that pertain to analysis of data. To do so the user must decide (or toggle) between stored files and the automated expert.).

Claim 6.

Reid teaches a trigger stage which is used to analyze problems (**Reid**, C8:41-43; Examiner's Note (EN) 'Trigger stage' is equivalent to 'input information' of Reid.), a reaction stage in which collects reactions to the triggers determined in the trigger stage (**Reid**, C8:54 through C9:24; EN 'Reaction stage' is equivalent to analyzing the incoming data to produce an output.).

Reid does not teach an action stage in which the user determines an action. Nagafuchi teaches an action stage in which the user determines an action (**Nagafuchi**, ¶¶0056; EN 'Action stage' of applicant is equivalent to 'output information' of Nagafuchi.). It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify teachings of Reid by having an output of repair information as needed as taught by Nagafuchi to an action stage in which the user determines an action.

For the purpose of having access to a result from input information that was supplied.

Reid and Nagafuchi do not teach a conflict stage in which feedback on the action is done. Yamamoto teaches a conflict stage in which feedback on the action is done (**Yamamoto**, C10:29-37). It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify combined teachings Reid and Nagafuchi by entering into the system what repairs were completed as taught by Yamamoto to have a conflict stage in which feedback on the action is done.

For the purpose of the system to have current information on what repairs were completed for future use.

Reid, Nagafuchi and Yamamoto do not teach an evaluation stage in which a final assessment of the action is done. Olster teaches an evaluation stage in which a final assessment of the action is done (**Olster**, C9:24-29). It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify combined teachings of Reid, Nagafuchi and Yamamoto by having an input of how the repair solved the problem for future use as taught by Olster to have an evaluation stage in which a final assessment of the action is done.

For the purpose of modifying the database for an improved solutions in future use.

Claim 7.

The combination of Reid, Nagafuchi, Yamamoto and Olster do not teach wherein the user can move between the five stages to facilitate work on a project. Savitch teaches wherein the user can move between the five stages to facilitate work on a project (**Savitch**, pages 390-391; EN Movement between the five stages of the development software can be accomplished with a 'switch' statement. In this example Savitch displays only four cases but a fifth can easily be added (case 5:)). It would have been obvious to a person having ordinary skill in the art at the time of applicant's invention to modify combined teachings of Reid, Nagafuchi, Yamamoto and Olster by using a 'switch' statement to have easy access between the five stages of development

as taught by Savitch to so the project development software being such that the user can move between the five stages to facilitate work on a project.

For the purpose of ease of use and modification potential for future needs.

Conclusion

4. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure.

- U. S. Patent 6012015: Tubel
- U. S. Patent 4837735: Allen
- U. S. Patent 6529954: Cookmeyer
- U. S. Patent 6321983: Katayanagi
- U. S. Patent 6343302: Graham
- U. S. Patent 5839438: Graettinger
- U. S. Patent 5566092: Wang
- U. S. Patent 5490089: Smith
- U. S. Patent 5471560: Allard
- U. S. Patent 5412753: Alston
- U. S. Patent 5365310: Jenkins

5. Claims 1-7 are rejected.

Correspondence Information

6. Any inquiry concerning this information or related to the subject disclosure should be directed to the Examiner Peter Coughlan, whose telephone number is (571) 272-5990. The Examiner can be reached on Monday through Friday from 7:15 a.m. to 3:45 p.m.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor David Vincent can be reached at (571) 272-3687. Any response to this office action should be mailed to:

Commissioner of Patents and Trademarks,
Washington, D. C. 20231;

Hand delivered to:

Receptionist,
Customer Service Window,
Randolph Building,
401 Dulany Street,
Alexandria, Virginia 22313,

(located on the first floor of the south side of the Randolph Building);

or faxed to:

(571) 273-8300 (for formal communications intended for entry.)

Art Unit: 2129

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have any questions on access to Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).



Peter Coughlan

12/21/2005

